

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	C.A. No. 13 Civ. 214 (HB)
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In re: LONGWEI PETROLEUM INVESTMENT	:	ECF CASE
HOLDING LIMITED SECURITIES	:	
LITIGATION	:	CLASS ACTION
	:	
-----X	:	
This Document Relates To: All Actions	:	
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**DECLARATION OF RICHARD W. GONNELLO IN SUPPORT OF
REQUEST FOR CERTIFICATE OF DEFAULT**

RICHARD W. GONNELLO, under penalty of perjury, declares and says,

1. I am an attorney duly licensed to practice law in the state of New York and before the bar of the Southern District of New York. I am a partner with the law firm of Faruqi & Faruqi, LLP (the "Faruqi Firm"), counsel for Lead Plaintiffs Paul Love ("Love"), Fabio Benedetto Lupis ("Lupis"), and Chris Wilson ("Wilson") ("Lead Plaintiffs").

2. I submit this declaration in support of Lead Plaintiffs' request for a Certificate of Default against Cai Yongjun ("Cai") and Xue Yongping ("Xue") pursuant to Fed. R. Civ. P. 55(a) and Local Civil Rule 55.1.

3. This action was commenced on January 9, 2013 when Chris Basnett filed the initial summons and complaint. A copy of the initial complaint is attached hereto as *Exhibit A*.

4. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 and Section 27 of the Exchange Act, 15 U.S.C. § 78aa, and has personal jurisdiction over Cai and Xue pursuant to Section 27 of the Exchange Act, 15 U.S.C. § 78aa.

5. On May 14, 2013, the Court consolidated the related actions, appointed Love,

Lupis, and Wilson as Lead Plaintiffs, and approved Lead Plaintiffs' selection of the Faruqi Firm as Lead Counsel. On the same day, the Court also approved the parties' Pretrial Scheduling Order, permitting Lead Plaintiffs to file a consolidated complaint on or before July 8, 2013.

6. On July 8, 2013, Lead Plaintiffs filed the Consolidated Securities Class Action Complaint (the "CAC"), which named Cai and Xue as defendants, with the Clerk of the Court. The filing of the CAC was subsequently entered on the docket in this action via ECF on July 10, 2013.

7. On November 4, 2013, Lead Plaintiffs filed a motion pursuant to Fed. R. Civ. P. 4(f)(3) for leave to serve process on Cai and Xue by serving Longwei's registered agent for service located in Colorado (the "Alternative Service Motion"). A copy of Lead Plaintiffs' Alternative Service Motion along with the supporting papers is attached hereto as *Exhibit B*.

8. None of the defendants opposed or otherwise responded to the Alternative Service Motion. Accordingly, the Court granted the Alternative Service Motion by an Order dated December 4, 2013. A copy of the Court's Order is attached hereto as *Exhibit C*.

9. Pursuant to the Court's Order, on December 9, 2013, Lead Plaintiffs effected service upon Cai and Xue by leaving a copy of the summons and CAC at Longwei's registered agent for service, Vcorp Services, LLC located at 36 South Avenue, Suite D, Brighton, CO 80601. These facts are set forth in the Affidavits of Service, copies of which are attached as *Exhibit D*.

10. Under Fed. R. Civ. P. 12(a)(1)(A), Cai and Xue were required to respond to the CAC on or before December 30, 2013.

11. Cai and Xue have not responded to the CAC, and the time to do so has expired.

12. To the best of my knowledge, neither Cai nor Xue is an infant, incompetent

person, or a member of the military.

WHEREFORE, on behalf of Lead Plaintiffs, I respectfully request a Certificate of Default against Cai Yongjun and Xue Yongping. Executed this 31st day of December 2013.

/s/ Richard W. Gonnello

Richard W. Gonnello